

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
(Richmond Division)

_____	)	
In re:	)	Chapter 11
	)	
CIRCUIT CITY STORES, INC. <i>et al.</i> ,	)	Case No. 08-335653-KRH
	)	(Jointly Administered)
Debtors.	)	
_____	)	

**NOTICE OF MOTION AND NOTICE OF HEARING**

PLEASE TAKE NOTICE that Amherst VF LLC (Amherst, NY, Store #3152).; East Brunswick VF LLC (East Brunswick, NJ, Store #3669); North Plainfield VF LLC (North Plainfield, Store #4133); Wayne VF LLC (Wayne, NJ, Store #3695); Alexander's Rego Park Center, Inc. (Rego Park, NY, Store #686); Towson VF LLC (Towson, MD, Store #4134); Green Acres Mall, LLC (Valley Stream, NY, Store #3694); VNO Mundy Street, LLC (Wilkes-Barre, PA, Store #4106); VNO Tru Dale Mabry, LLC (Tampa, FL, Store #859); and Vornado Gun Hill Road, LLC (Bronx, NY, Store #3778) (collectively, the "Landlords"), by and through counsel, have filed with the Court in the above-styled bankruptcy, a *Motion and Supporting Memorandum of Law of Amherst VF LLC (Amherst, NY); East Brunswick VF LLC (East Brunswick, NJ);*

\_\_\_\_\_  
William A. Gray, Esquire – VSB #46911  
C. Thomas Ebel, Esquire – VSB #18637  
Peter M. Pearl, Esquire – VSB #22344  
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---and---  
FRIED, FRANK, HARRIS, SHRIVER &  
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*Vornado Gun Hill Road LLC (Bronx, NY); North Plainfield VF LLC (North Plainfield, NJ); Alexander's Rego Park Center, Inc. (Rego Park, NY); Towson VF LLC (Towson, MD); Green Acres Mall, LLC (Valley Stream, NY); Wayne VF LLC (Wayne, NJ); VNO Mundy Street LLC (Wilkes-Barre, PA); AND VNO Tru Dale Mabry, LLC (Tampa, FL) for an Order Compelling Debtors to Immediately Pay Administrative Rent Pursuant to 11 U.S.C. §§ 365(d)(3) and 503(b) and Granting Related Relief (the "Motion").*

**Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)** If you do not want the Court to grant the relief sought in the *Motion*, or if you want the Court to consider your views on the *Motion*, then or before **December 18, 2008**, you or your attorney must:

1. File with the Court, at the address shown below, a written response pursuant to *Local Bankruptcy Rule* 9013-1(H). If you mail your response to the Court for filing, you must mail it early enough so the Court will receive it on or before the date stated above.

William C. Redden, Clerk of Court  
United States Bankruptcy Court  
Eastern District of Virginia, Richmond Division  
701 E. Broad Street, Suite 4000  
Richmond, VA 23219

You must also mail a copy to:

William A. Gray, Esquire (VSB #46911)  
Peter M. Pearl, Esquire (VSB #22344)  
C. Thomas Ebel, Esquire (VSB # 18637)  
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2. If you object to or oppose the *Motion*, you must file your objection or response timely with the Court and attend a hearing scheduled for **December 22, 2008, at 1:00 p.m.** at the United States Bankruptcy Court located at 701 East Broad Street, Suite 5000, Richmond, Virginia, in Judge Huennekens' Courtroom, in addition to filing a written objection or response to the *Motion*. If you fail to timely file a written response and to attend the hearing, the Court may consider any objection you have waived, and enter an order granting the relief requested in the *Motion* without holding a hearing.

If you or your attorney do not take these steps, the Court may decide that you do not oppose the relief sought in the *Motion* and may enter an Order granting that relief.

**NOTICE**

Under *Local Bankruptcy Rule* 9013-1, unless a written response to the *Motion* is filed with the Clerk of Court and served on the moving party within two (2) business days prior to the December 22, 2008, hearing date, or on or before **December 18, 2008**, objecting to the relief requested, the Court may deem any opposition waived, treat the *Motion* as conceded, and issue an Order granting the requested relief without further notice or hearing.

**Dated: December 12, 2008**

**Respectfully Submitted,**

Amherst VF LLC; East Brunswick VF LLC; North Plainfield VF LLC; Wayne VF LLC; Alexander's Rego Park Center, Inc.; Towson VF LLC; Green Acres Mall, LLC; VNO Mundy Street, LLC; VNO Tru Dale Mabry, LLC; and Vornado Gun Hill Road, LLC

/s/ William A. Gray

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**CERTIFICATE OF SERVICE**

I hereby certify that on this 12th day of December, 2008, a true and accurate copy of the foregoing was electronically filed with the Clerk of the Bankruptcy Court for the Eastern District of Virginia, Richmond Division, using the CM/ECF system, which thereby caused the above to be served electronically on all registered users of the ECF system that have filed notices of appearance in this matter, and was mailed, by U.S. Mail, first class, postage prepaid, to all persons on the attached Service List.

/s/ William A. Gray

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